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**FEES TRANSMITTAL  
for FY 2002**

OCT 12 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT  
*(TRADEMARK OFFICE)*

(\$130.00)

**Complete if Known**

Application Number	09/942,919
Filing Date	August 31, 2001
First Named Inventor	Cox
Examiner Name	To Be Assigned
Group Art Unit	3738
Attorney Docket No.	P513 DIV1 (1737.1460008/LEA/DTJ)

**METHOD OF PAYMENT (check one)**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number  
19-0036

Deposit Account Name  
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)-0-

**2. EXTRA CLAIM FEES**

Extra	Fee from below	Fee Paid
Total Claims 27	- 27 = 0	X _____ = _____
Indep. Claims 6	- 6 = 0	X _____ = _____
Multiple Dependent	_____	= _____

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)-0-

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee - reissue	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	130	123	130	Petitions related to provisions of applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

\*\* or number previously paid, if greater; For Reissues, see above

Complete (if applicable)

Name (Print/Type)	Dustin T. Johnson	Registration No. (Attorney/Agent)	47,684	Telephone	202-371-2600
Signature	<i>Dustin T. Johnson</i>	Date	Oct. 12, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicants: Cox et al.

Due Date: None

Art Unit: To Be Assigned

Examiner: To Be Assigned

Docket: P513 DIV1 (1737.1460008)

#3

Application No.: To Be Assigned

(Divisional of Appl. No.: 09/121,226;  
Filed: July 22, 1998)

OCT 12 2001 Filed: August 30, 2001

Attorney: LEA/DTJ  
Cor: Endoluminal Prostheses and Therapies for Highly Variable Body Lumens

Upon receipt, stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. Sticker Cover Sheet (*in duplicate*);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. PTO Fee Transmittal (Form PTO/SB/17) (*in duplicate*);
4. A true copy of U.S. Utility Patent Application No. 09/121,226; Filed: July 22, 1998 entitled: Endoluminal Prostheses and Therapies for Highly Variable Body Lumens and naming as inventors Brian Cox; Michael A. Evans; Allan Will; Jay A. Lenker; Steven W. Kim; and Kirsten Freislinger the application consisting of a specification containing 31 pages of description prior to the claims; 12 pages of claims (59 claims); a one (1) page abstract; 22 sheets of drawings: (Figures 1, 2, 3A-3C, 4, 5A-5H, 6A-6C, 7A-7G, 8A-8F, 9A, 9B, 10A-10C, 11A-11C, 12, 13, 14A, 14B, 15A, 15B, 16A, 16B, 17A-17D, 18A, 18B, and 19); and a copy of the executed Declaration, as originally filed in U.S. Appl. Nos. 09/121,226 and 08/615,697;
5. Application Data Sheet;
6. A Preliminary Amendment;
7. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
8. Two (2) return postcards; and
9. Our check No. 32395 for \$1076.00 to cover:  
\$710.00 Filing fee for patent application;  
\$126.00 Fee for excess total claims; and  
\$240.00 Fee for excess independent claims.

Box Patent Application

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jointed stent-graft sections to allow the prosthesis to adapt to the highly tortuous arteries associated with aneurysm patients.

Referring now to Figs. 5A-C, an alternative flexible 5 prosthesis section may comprise a coil-shaped stent structure, in which the coils are separated from each other by a distance which allows the liner material to flex easily, thereby providing a prosthetic structure with both axial flexibility and hoop strength.

A limitation of known coiled expandable stent-graft structures is that they induce relative motion between the liner and support materials, the coil unwinding as the liner expands. Coiled prosthetic structure 82 overcomes this 10 limitation by including an expandable coil 84 with an expandable liner material 86. As the prosthesis perimeter increases in size, expandable coil 84 elongates, preferably by deformation of a series of linked diamond-shaped elements 88. 15 As the coil frame expands with the liner material, these two structures may be attached directly together at a plurality of locations without binding.

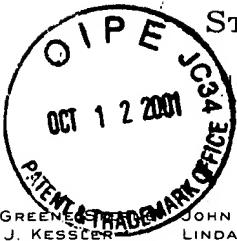
The expandable coil may be either self-expanding, 20 preferably comprising a highly resilient material, ideally comprising a shape memory alloy such as super-elastic Nitinol™, or the like. Alternatively, the coil may comprise a malleable material, typically a plastically deformable metal 25 such as stainless steel, tantalum, martensitic shape memory alloy such as Nitinol™, a shape memory polymer, or the like.

The liner will optionally be an expandable tubular material, often being a woven polyester such as Dacron™, or 30 may alternatively comprise a plastically expansible material such as PTFE, partially oriented yarn, or an annealed or wrapped composite fiber such as those more fully described in

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co-pending U.S. Patent Application Serial No. 08/595,944, filed February 6, 1996 (Attorney-Docket No. 16380-004010), the Nov 29 2001 35 full disclosure of which is incorporated herein by reference.

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Optionally, the liner may also include a ribbed polymer as described above. As illustrated in Fig. 5D, a ribbed PTFE



## STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

ATTORNEYS AT LAW

100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

ROBERT GREENE\*, JOHN M. COVERT  
EDWARD J. KESSLER\*, LINDA E. ALCORN  
JORGE A. GOLDSTEIN, ROBERT C. MILLONIG  
SAMUEL L. FOX\*\*\*, MICHAEL V. MESSINGER  
DAVID K.S. CORNWELL, JUDITH U. KIM  
ROBERT W. EDMOND, TIMOTHY J. SHEA, JR.  
TRACY-GENE G. DURKIN, PATRICK E. GARRETT  
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MICHAEL B. RAY, HEIDI L. KRAUS  
ROBERT E. SOKOHL, JEFFREY R. KURIN  
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MICHAEL O. LEE, LAWRENCE B. BUGAISKY  
STEVEN R. LUDWIG, CRYSTAL D. SAYLES

EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
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JEFFREY S. WEAVER  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE  
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ELDORA ELLISON FLOYD\*

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TIMOTHY M. SPEER\*\*  
AARON L. SCHWARTZ\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

October 12, 2001

WRITER'S DIRECT NUMBER:  
(202) 312-7258

INTERNET ADDRESS:  
DJOHNSON@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Art Unit 3738

Re: U.S. Utility Patent Application  
Appl. No. 09/942,919; Filed: August 31, 2001  
For: **Endoluminal Prostheses and Therapies for Highly  
Variable Body Lumens**  
Inventors: Cox *et al.*  
Our Ref: P513 DIV1 (1737.1460008/LEA/DTJ)

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Sir:

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Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17) (in duplicate);
2. Copy of the Notice of Omitted Items in a Nonprovisional Application;
3. Petition in Response to Notice of Omitted Items in a Nonprovisional Application (*in duplicate*);
4. Copy of date-stamped postcard bearing OIPE date-stamp of August 31, 2001;
5. Copy of page 20 of specification, allegedly omitted from Application;
6. Return postcard; and
7. Our check no. 32829 in the amount of \$130.00 to cover:  
\$130.00 petition fee.

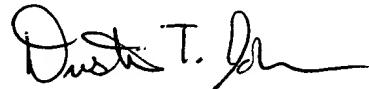
Commissioner for Patents  
October 12, 2001  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Dustin T. Johnson  
Agent for Applicants  
Registration No. 47,684

LEA/DTJ:nar  
Enclosures



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Page 1 of 2

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,919	08/31/2001	Brian Cox	1737.1460008

28390  
MEDTRONIC AVE, INC.  
3576 UNOCAL PLACE  
SANTA ROSA, CA 95403

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CONFIRMATION NO. 9761

FORMALITIES LETTER

NOV 29 2001



\*OC00000006590163\*

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Date Mailed: 09/21/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 20 of the specification (description and claims).
  - I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.
  - II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.
  - III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

*fjs*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE